THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): Now we shall take up the Statutory Resolution seeking disapproval of the Motor Vehicles (Amendment) Ordinance, 1986 and the Motor Vehicles (Amendment) Bill, 1986, together.

I. STATUTORY RESOLUTION DISAPPROVING THE MOTOR VEHICLES (AMENDMENT) ORDINANCE, 1986

II. THE MOTOR VEHICLES (AMENDMENT) BILL, 1986

SHRI SHANKER SINH VAGHELA (Gujarat): Sir, I move:

"That this House disapproves of the Motor Vehicles (Amendment) Ordinance, 1986 (No. 4 of 1986), promulgated by the President on the 28th January, 1986."

सर, यह जो मोटर व्हीकल्स (अमेंडमेंट) आर्डिनेंस आया है जिसमें नेशनल परमिट की बात कही गई है इसमें आजकल जो हालत है हमारे देश में सभी व्हीकल्स की, इनके एक्सीडेंट्स की, मैं बताना चाहता हूं कि तकरीबन 30 हजार से ज्यादा लोग रोड की दुर्घटनाओं में मारे जाते हैं। इसमें आप कितना भी आर्डिनेंस ले आयें लेकिन जब तक जो कायदे के, रूल्स के इम्पलीमेंटेशन के सवाल हैं उसका अमलीकरण ठीक ढंग से नहीं होता है तो वह आर्डिनेंस पूरा कामयाब नहीं होगा। लेकिन जो व्हीकल्स की संख्या बढ़ेगी उसके साथ-साथ क्या वे व्हीकल्स रास्ते पर ठीक ढंग से चलते हैं सवाल यह है। हमने देखा है, हमारे यहां भी है कि कोई भी पब्लिक स्कूल व्यक्तियों को दो-तीन महीने ड्राइविंग की ट्रेनिंग देकर उनसे फीस लेकर लाइसेंस दिला देता है। वह जा कर बस का ड्राइवर बन जाता है, ट्रक का ड्राइवर बन जाता है, कार का ड्राइवर बन जाता है। मेरा यह कहना है कि ड्राइवरों को लाइसेंस देने के लिए हमारी गवर्नमेंट आफ इंडिया के या राज्य सरकारों के अपने ऐसे इस्टीट्यूट होने चाहिएं। यह इस्टीट्यूट उन व्यक्तियों को बाकायदा ट्रेनिंग दे और उनका टेस्ट लेकर सर्टीफिकेट इशू करे और उनको ड्राइविंग का लाइसेंस दें। जब उसको इस इस्टीट्यूट का लाइसेंस मिल जाए तभी वह स्टीयरिंग पर बैठ सके अन्यथा नहीं। जो इस वक्त ड्राइविंग करते हैं उनके पास मिनिमम क्वालिफिकेशन भी नहीं होती। हमारे यहां ऐसे-ऐसे ड्राइवर बन गये हैं जिनके पास कोई क्वालिफिकेशन नहीं है और जिन को कहीं नौकरी नहीं मिल रही है वे इन पब्लिक स्कूलों से ड्राइविंग लाइसेंस लेकर, ट्रक, बस चला रहे हैं। इनमें कई तो इतनी लिक्वर पीकर चलाते हैं कि होश नहीं रहता और एक्सीडेंट कर बैठते हैं। साथ ही ट्रकों में, अपने व्हीकल्स में इतना सामान भर लेते हैं कि वह ओवर वेट हो जाता है और एक्सीडेंट कर बैठते हैं। और उसका टायर भी ठीक नहीं होता है। ड्राइवर रोड पर ट्रकों को खड़ा कर देते हैं। उनकी बैक लाइट भी ठीक नहीं होती है। रात को जब ड्राइवर दो लाइट्स जला कर ट्रक चलाते हैं तो सामने वाले ड्राइवर को दिखाई नहीं देता है। अगर ऐसा प्रावधान हो कि लाइट का आधा हिस्सा काला किया जाय तो उससे दुर्घटनाएं होने का कम खतरा रहेगा और सामने वाले ड्राइवर को देखने में दिक्कत नहीं होगी। कई बार ऐसा होता है कि ड्राइवर लोग अपने ट्रकों को रोड पर खड़ा कर देते हैं और उनमें बैक लाइट नहीं होती है जिससे दुर्घटना होने का खतरा बना रहता है। जितने भी हमारे नेशनल हाईवेज हैं उनमें आप देखिये ट्रक्स सड़कों पर खड़े रहते हैं। सामने वाले को लाइट के कारण कुछ भी दिखाई नहीं देता है। जिन बसों में लोग बैठे होते हैं वे सब इन दुर्घटनाओं में मारे जाते हैं। हमारी जो ट्रैफिक पुलिस इन नेशनल हाईवेज पर है उसमें टोटल करप्शन फैला हुआ है। इस संबंध में जो कानून और कायदे बने हुए हैं उनको रोज भंग किया जाता है। पुलिस वाले इन ट्रक्स वालों से पैसा लेते हैं पांच या पच्चीस रुपये लेकर उनको छोड़ देते हैं। आपको कुछ ऐसा रूल बनाना चाहिए कि अगर तीन एक्सीडेन्ट्स

हो जायें तो उस ड्राइवर का लायसेन्स रद्द कर दिया जाय । हमारी रोड्स पर व्हीकल्स की संख्या भी बढ़ती जा रही है इसलिए आज जरूरत इस बात की है कि लायसेन्स देने के तरीके में भी फर्क होना चाहिए ।

हमारे देश में जो ट्रक चलते हैं वे काफी वेट ले जाते हैं । सामान को इधर-उधर ले जाने में भी काफी करप्शन है । ड्राइवर लोग जिस स्पीड से ट्रक को चलाना चाहिये उससे ज्यादा स्पीड से चलाते हैं । हमने स्वयं देखा है कि ट्रक्स को भगाते हुये ले जाते हैं । इसके अलावा यह भी देखने में आता है कि एक ही ड्राइवर रात और दिन, दोनों वक्तों पर, गाड़ी चलाता है । रात के लिये और दिन के लिये अलग-अलग ड्राइवर नहीं होते हैं । इस कारण भी एक्सीडेंट्स ज्यादा होते हैं और जिन बसों में 50–60 मुसाफिर बैठे होते हैं वे बेचारे मारे जाते हैं । इसलिये जरूरत इस बात की है कि चाहे हमारे पब्लिक अन्डरटेकिंज हों या कारपोरेशन्स हों उनकी भी इस बारे में खींचतान होना चाहिये । हम आमतौर पर देखते हैं कि ड्राइवरों की कोई क्वालिफिकेशन नहीं देखी जाती है । दिल्ली में ही आप देखिये, डी०टी०सी० से कितने एक्सीडेंट्स होते हैं । ड्राइवर लोग इतना रेश ड्राइविंग करते हैं कि कम चार-पांच आदमी मारे जायें, कुछ पता नहीं होता है । हम०एम०पीज० और एम० एल०एज० रोज देखते हैं कि किस तरह से एक्सीडेंट्स होते हैं और ड्राइवर लोग किस तरह से व्यवहार करते हैं । हमें मालूम है कि वे लोग किस तरह से नम्बर प्लेट लगाते हैं । हमें मालूम होता है कि ट्रक्स में लाइट नहीं होती है । हम लोग रोज यात्रा करते हैं और खुद भी ड्राइव करते हैं । हम लोगों को मालूम होता है कि ड्राइवर कौन ड्राइवर शराब पिये हुये है। अभी तो यह स्थिति है कि एम०पीज० और एम०एल०एज० कुछ नहीं कर सकते हैं । वे किसी का लायसेंस कैंसिल नहीं कर सकते हैं । अगर कोई इस तरह का प्रावधान कर दिया जाय जैसा आपने पासपोर्ट के लिये किया था कि एम०पीज० पासपोर्ट पर दस्तखत कर सकते हैं, उसी प्रकार से एम०पीज० और एम०एल०एज० को भी पावर्स दी जानी चाहिये । उनको मालूम होता है कि कौन ड्राइवर शराब पिये हुये है और कौन रेश ड्राइविंग कर रहा है । अभी हालत यह है कि हमारे जो कानून बने हुये हैं उनका इम्प्लीमेंटेशन नहीं होता है । इसलिये इस तरफ भी ध्यान देने की जरूरत है ।

हम आज देखते हैं कि कितने ही एक्सीडेंट्स होते हैं जिनमें कम्पेंसेशन मिलने में काफी दिक्कतें होती हैं । मजिस्ट्रेट से लेकर सु० के पास मामला लटका रहता है और मामलों को निपटाने में दो-दो साल तक लग जाते हैं । इसमें कुछ लोगों की मिलीभगत भी होती है । इसमें इन सब लोगों की मिली-भगत होती है । इसलिये आमने-सामने मिल बैठकर इसका फैसला होना चाहिये । अगर केस पेंडिंग होंगे तो वकील तथा सब और लोगों की मिली-भगत होती है और उनका परसेंटेज होता है कि अगर इतना रुपया मिलेगा तो 20 प्रतिशत वकील को मिलेगा, कहीं-कहीं मजिस्ट्रेट भी इसमें इन्वालव होते हैं और दो लाख रुपया तक जुर्माना कर देते हैं । इंश्योरेंस के लोग भी इसमें शामिल होते हैं । इसलिये इस तरफ आपको ध्यान देना चाहिये । जो नेशनल परमिट में आपने किया है वह अच्छा है लेकिन कई बातें नहीं की गई हैं । इस लिये मैंने आपको कुछ सजेशंस दिये है । एक बात मैं और कहना चाहता हूं कि आजकल शहरों और हाई-वे में जो वैकिल्स चलते हैं, थ्री व्हीलर हैं, टू व्हीलर हैं, मोपेड हैं, इनके कारण 30 प्रतिशत पोल्यूशन होता है । आपने पेट्रोल मंहगा कर दिया है, डीजल मंहगा कर दिया है, इसके कारण इसमें मिलावट होती है । लोग पेट्रोल और डीजल में केरोसिन, मिट्टी का तेल मिलाते है । मिट्टी के तेल से व्हीकल का भट्टा बैठ तो बैठे लेकिन उससे पोल्यूशन बहुत होता है । इसलिये मेरा सुझाव है कि जो व्हैकिल्स गलत ढंग से और अधिक मात्रा में धुआं छोड़ती है उनका परमिट रद्द कर दिया जाय । अगर आप ऐसा करेंगे तो मैं समझता हूं कि उससे उस वाहन के ड्राइवर पर, उसके मालिक पर प्रतिबंध लग जायेगा और वे ऐसे व्हेकिल्स नहीं चलायेंगे । आजकल तमाम शहरों में पोल्यूशन है लेकिन अहमदाबाद में हायस्ट पोल्यूशन है । थ्री व्हीलर वाले पैट्रोल में

[श्री शंकर सिंह बाघेला]

मिट्टी का तेल मिलाते हैं और वे इतना धुआं छोड़ते हैं कि वहां पर श्वास भी नहीं ले सकते हैं। इसलिये शहरों में इस तरह का जो पोल्यूशन होता है उसको कन्ट्रोल करने के बारे में भी आप सोचिये।

मान्यवर, आमतौर पर आर० टी० ओ० और रीजनल ट्रांसपोर्ट के लोग जो राज्यों में होते हैं जब भी खर्चा उनके पाकिट में नहीं होता है या उनके पास रुपया कम होता है तो वे रोड पर खड़े हो जाते हैं और आने-जाने वाली व्हेकिल्स को खड़ा करते हैं और उनसे कहते हैं कि यह निकालो, वह निकालो और उनसे सौ, दो सौ रुपये ले लेते हैं। पुलिस के आफिसर भी अपने खर्चों को पूरा करने के लिये ऐसा ही करते हैं और शाम को हजार-दो हजार रुपया जेब में रखकर चले जाते हैं। इसलिये मेरा सुझाव है कि व्हैकिल्स को चैक करने की जो पावर हो वह सुपरिटेंडेंटस के ऊपर के लोगों को हो और ऐसा न हो कि जब जी चाहे चेक कर लें। जब भी वे व्हेकिल्स को चेक करें तो इसकी उन्हें रिपोर्ट भरनी चाहिये। आर०टी०ओ०, रीजनल ट्रांसपोर्ट के लोग जो पुलिस सुपरिटेंडेंट के ऊपर के लोग हैं, उनको ही व्हैकिल्स चेक करने का अधिकार दिया जाय, ऐसा अगर इसमें एड किया जाय तो अच्छा हो। इन शब्दों के साथ मैं अपनी बात समाप्त करता हूं।

THE MINISTER OF STATE IN THE DEPARTMENT OF SURFACE TRANSPORT (SHRI RAJESH PILOT): Sir, I move:

> "That the Bill further to amend the Motor Vehicles Act, 1939, be taken into consideration."

With your permission I would like to say a few words.

Sir, the Scheme of National Permit for Public Carriers was introduced in 1975 in terms of the relevant provisions of the Motor Vehicles Act, 1939. The State Governments were authorised to issue national permits to the truck operators up to the number as may be specified by the Central Government. The truck operator operating his vehicle under the National Permit was given the facility of uninterrupted movement throughout the territory of the State/Uts opted by him, without the requirement of any counter-signature of other States and also the facility of single point taxation in the home State. Sir, the system of National permit had been welcomed by all. There had been constant demand for increase in the number of National Permits. Though the Central Government had been effecting certain increases from time to time in the allocations to the States/UTs, it had, however, been found that the restriction on the number of permits was causing avoidable hardship to the operators. The restriction had also proved as impediment in the natural development of goods transportation by road. The National Transport Policy Committee in its Report had recommended removal of the restrictions on the number of vehicles to be allotted such National Permits. The Transport Development Council also which has Transport Ministers of all the States and Union Territories as members, had in its recent meeting in October, 1985 unanimously resolved that the restrictions on the number of National Permits should be removed and suggested immediate action by making suitable amendments in the Motor Vehicles Act, 1939. Taking into consideration all these factors and in the interest of facilitating smooth and uninterrupted movement of goods vehicles in the country, immediate removal of restrictions on the ceilings of National Permits to be issued by each State was considered essential.

The required amendment to the Motor Vehicles Act, 1939 has been made through the Ordinance promulgated by the President on 28-1-1986. The Present Bill is to replace the Ordinance. The Motor Vehicles Act

(Amendment) Bill is an important step toward liberalisation of the permit system and for meeting the needs for quick transportation of goods, and I commend to this House for acceptance.

The questions were proposed.

SHRI K. MOHANAN (Kerala): As the Minister has already stated, the Bill is intended to remove the restrictions on the number of national permits issued to trucks. Even though the Bill seems to be a very simple one, I do not think it is so simple. By introducing this new legislation and the new scheme, I must point out, that this will have its repurcussion on our national economy in the long run.

I am forced to say that this is also the declared policy of privatisation of this Government in each and every field. I do not know whether this Government will privatise the Government and the Administration itself.

Naturally the company executive culture is developing in our administration and Government, because at the helm of affairs those who are controlling the Administration are the product of company executive culture, including our hon. Minister, Shri Rajesh Pilot, who is piloting this Bill. I think this culture is developing in our country. This also is part of the privatisation policy, encouraging the private sector and discouraging public sector.

In transportation, Railway is the biggest agency in our country for passenger as well as for cargo. But what is going on there? What is the pace of development in this public sector? I am not quoting the details, but it is very clear from the Economic Review itself that for the past ten years there is only a marginal increase in income from the cargo side in the Railways. Even now there is no specific proposal before the Government to develop this public sector system to the extent we want it to. At the same time immediately they find out another choice i.e. encouraging the private sector transport system by making permits without any restriction. This is part of this privatisation scheme That is now being implemented even in the public utility services like the P&T and Railways. In my State, there was an advertisement in the newspapers to auction a railway station to the private parties, because it was running at a loss. This is what is going on. So, my first charge is instead of strengthening the public transport system we are encouraging the private system and it will have its own repercussions in the future. My second point is regarding Government's concern for conservation of energy especially in the context of oil crisis. But everybody knows that kilometre consumption of diesel in the road transport system is higher than that of Railways. It has two effects, promoting the road transport system and encouraging it without any control on consumption, means more consumption of petrol and diesel. Then the Government says we have to conserve energy. But in my view, Sir, encouraging the road transport in this manner will be higher consumption of diesel as well as higher tariff rate. This burden will be passed on to the shoulders of the poor consumers and commuters ultimately. Even for transporting goods by road will means higher traiff than the railways transport. I am against the private transport system without any control for licensing.

My third point is that depending more and more on private sector for transportation of goods or cargo itself is detrimental to the interest of this country. Depending more and more on private sector means, their bargaining capacity will also go up. Then the Government have to surrender to this private sector for more concessions in the near future. We know that what happened in Latin American countries like Chile. The private transport system were able to topple

[Shri K. Mohanan]

some Governments there. So depending more and more on private sector for transportation of goods and at the same time discouraging public sector units like Railways will be also detrimental to the political stability as well as economic stability of this country.

Another thing I would like to point out is that these national permits are generally issued only to fleet owners but not to individuals. By giving unrestricted licences to the fleet owners, it will create another problem of monopoly system in this sector. Only a handful of people will control this private transport system. I am also not in favour of this type of policy.

Finally, Sir, the Minister has mentioned in his introductory remarks that the National Transport Committee has recommended for this amendment. All right, I agree with him. But in addition to this, the National Transport Committee has recommended so many other things. It was a comprehensive recommendation related to other things also. But you simply took one recommendation for the sake of your convenience and introduced the legislation.

So before taking a final decision in this regard, my only plea to the Government and the Minister is that they should consider these points from the point of privatisation, conservation of energy, large number of transport system in our country and above all depending more and more on private system for transportation of goods in this country will be detrimental to us.

Thank you.

SHRI V. NARAYANASAMY (Pondicherry): Mr. Vice-Chairman, Sir, thank you very much for having given me this opportunity to speak on this Bill. I rise to support this Bill. It is introduced by the Minister as the Motor Vehicles (Amendment) Bill, 1986. The amendment is sought under Section 47, Section 63 and Section 68 of the Act for the purpose of liberalising the national permits in the country. Now, we have seen, in our country that we have increased our agricultural production and we are very much starting industries in the rural sector. The Railways have not reached the rural sector so far in our country. Therefore, for the purpose of bringing the raw-materials and transporting the agricultural goods to the market and to bring the finished goods to the market, the Railways alone could not satisfy the needs of the businessmen, agriculturists and other people and therefore, this national permit system is to be liberalised making it open to the public and those persons who have to transport the goods at a competitive rate enabling the consumers to get the goods at cheaper rates at the appointed time. Further, I would like to say, while introducing the Bill, the hon'ble Minister has to consider the facts relating to the testing of the drivers before giving them the licence. We have seen in Russia that the Drivers are given training for two years, thereafter, they have been kept under observation for six months and then alone, licences are being issued. In India also, the Government has to keep in mind this while issuing licences to the drivers that competent persons and efficient persons are given driving licences. Then, coming to the roads in our country and their maintenance, the national highways and the roads and approach roads in the villages and rural sector have to be maintained properly because of the traffic potential. Otherwise, without maintenance, the roads will get eroded and therefore, the maintenance of road is an essential factor in this regard. Thirdly the people also should be educated much more about road safety system; they should be given proper education about the road traffic facilities and road traffic system. Then about the permit system which is available now as we have seen from the hon'ble Minister's objects

and reasons: in 1974-75 only 5300 national permits were there and now the number has been increased to 32100 till July 1984. Sir if the permit is issued for a particular State and if a transport operator or businessman wants to transport his goods from one State to another State the goods have to be de-transported in one place and thereafter if it should be retransported to another vehicle it will lead to loss of time and it will also be inconveniencing the people who are transporting the goods and the fleet operator. Now it will dilute the monopoly which is being enjoyed by the private operators and fleet owners. By this liberal system of giving national permits to the people it will also bring down the cost of transport and therefore the people the agriculturists the traders and the industrialists will also be benefited and therefore I rise to support this Bill. Thank you very much.

1.00 P.M.

SHRI P. BABUL REDDY (Andhra Pradesh): Mr. Vice-Chairman Sir, I rise to support this Bill. The National Transport Policy Committee as well as the Transport Development Council have recommended this measure. But instead of piecemeal amendments like this, both the Transport Development Council and the National Transport Policy Committee have suggested that this Act, which was passed in 1939, long before the Constitution, requires a thorough amendment. Rather than having these piecemeal amendments, it is much better to have a consolidated and codified Act governing these motor vehicles, not only the public carriers, the stage carriages and contract carriages.

We have seen that in the last 15 to 20 years transport by road has become very popular. I was going from Nellore to Madras last night. About 50 miles north of Madras, there is a place called Nayudupeta. There is a level-crossing there. Now they are constructing an overbridge. In the meantime, they have to operate through the old gate at the level-crossing. The result was that at about 12 o'clock in the night, hundreds of lorries coming from Madras and going to Madras were stranded there. When the railway gate was opened, they could not clear even half the vehicles on one side before the next train came. Like that we had to wait for three trains to cross. So here I suggest to the hon. Minister of Transport that something must be done about these roads also. There is no use merely going on increasing the number of vehicles. It is good. After all, the country has to move forward and transport is a very important sector in the national progress. There is a very great need to increase the number of lorries. But in our country, some people weded to some philosophy take some pleasure in putting restrictions on every activity. After all, if a man wants to invest Rs. 3 lakhs or Rs. 4 lakhs and purchase a new lorry and he wants to run it—in his own interest, no doubt; after all, without self-interest nobody would move an inch—he would be serving the country also. All sorts of restrictions are put on him. And then there is harassment by the police on the road. Once when I was going to my native place—that is on National Highway No. 5—I found at 2 o'clock in the night a number of police people were on the road. I was very happy to see the police people there; I thought they were doing night bandobust or something like that. But when I went home, I was told that the police people were on the main road only to collect their "momool" from vehicles going from that side and this side. About 500 vehicles come from each side and they are collecting one rupee from each vehicle. It comes to Rs. 1000 per day for the police people. Previously it was 50 paise per vehicle. Now because the cost of living index has gone up, they have also increased it to one rupee. These lorry people do not even stop. They just throw one rupee and go away. So, as far as possible, these restrictions should be removed. We are a free society. We must try to see that only such res-

[Shri P. Babul Reddy]

trictions are imposed, which are conducive for public welfare or which promote public interest.

I would also suggest certain things to the hon. Transport Minister. I have got some experience in the line as an advocate. I started my career as an advocate appearing for transport operators. The hon. Minister Mr. Shiv Shanker knows about it. What I am suggesting is that the contract carriages with national permits are doing an excellent service. For example, they operate overnight between Hyderabad and Bangalore, and Hyderabad and Bombay. They charge no doubt about ten rupees more than the road transport corporation buses. But these Road Transport Corporation buses may not reach the other end. That is the experience. So the private buses have become very popular. The Road Transport Corporation people made a big agitation against that inside and instigated the police and the people in the Road Transport Department also to act illegally and stop the private operators. The private operators had to go to the High Court, they had to go to the Supreme Court, fighting that they should be allowed to ply. They were doing an excellent work. Nobody can dispute the good nature of work being done by the private operators for transporting people overnight places 400 miles away. Today the position in Andhra Pradesh as it must be everywhere else is that they give a contract carriage permit only for three days. For every permit the operators have to give a list of passengers. For going to Tirupati or Madras or Bangalore they give a contract carriage permit only for three days. Twenty years ago the Transport Minister filed an affidavit in court that we are going to remove this and give permanent permits like stage carriage permits for one year or two years or three years. But the department stood against it. Why? Because, every three days when the man goes to receive a permit he has to pay the *mamul* ranging from Rs. 30 to Rs. 50. At this rate the Transport Department would get not less than Rs. 5000 to Rs. 6000 every month on issuing temporary permits. Therefore, the entire department stood against it. In spite of the affidavit having been filed by the Transport Minister in court, till now, though two decades have passed they have not implemented it. The young Transport Minister must take up this question immediately. Why this restriction? Why should we not encourage the private operators who are doing an excellent job? The reasons given by the Road Transport Corporation is by plying their buses efficiently the private operators are taking away the passengers of the Road Transport Corporation buses and the Road Transport Corporation is suffering losses. Road Transport Corporation will never make a profit . . .

SHRI JAGESH DESAI (Maharashtra): Why not? Road Transport Corporation can make profit.

SHRI P. BABUL REDDY: 'Can' is a realm of possibility; my friend would see 'realm of reality'. Which public corporation is making a profit? They are running 6000 to 7000 buses in each State and they are all incurring losses. This year for the first time in Andhra Pradesh they said they made a profit of Rs. 60.3 crores. But that is only a jugglery in figures. My friend, almost all the corporations are consistently making losses year after year. After all, people are not here to serve the Corporation. The idea of the Corporation is to serve the people. The primacy must on the service to the people. So I humbly suggest that not only this measure concerning the public carriages but for contract carriages also regular permits must be issued and corruption must be put an end to making people run to the Transport Office every three days for a contract carriage permit will only result in opening the flood gates of corruption. That should be stopped. That is my humble submission.

SHRI JAGESH DESAI: Mr. Vice-Chairman, I am happy that Mr. Babul Reddy has raised this point because I wanted to speak on this subject only today. This national permit was one of the 20-point programme initiated by the late Prime Minister, Shrimati Indira Gandhi. This was introduced so that the traffic would become smooth and from one State of the country goods could be carried to other States without much difficulty. Previously one had to take permits from all the States through which the vehicle was to ply. There was wastage of time, wastage of money and wastage of money in that system. At that time a quota was fixed for each State and the number of permits was fixed and accordingly it was worked out. But every State wanted more permits so that more people could get the national permits and more vehicles could ply from one State to another. I am very happy that the Government has come forward with this amendment and the national permits will not be required now or it will be given to those who want such permits. In one stroke the corruption which was there earlier has been completely wiped out and corruption was there because demand was more and the supply was less. I am very happy that the Government has taken this step, a step in the right direction. Similarly, Sir, now they have to see which are the areas where ocrruption in this Department is growing. Mr. Vaghela has made several points and I totally agree with him. The most corrupt Department today is the RTA. If you want to renew the licence, they will inspect your vehicle and say that you have to do this repair or that and if you give them some money, they will say that such an inspection is not necessary at all. As a person who was concerned with this Department in Maharashtra some time back I can say now that we had found out which were the areas where corruption was generated and we took some action. Though we were not fully successful, we did something. That is why I would like the honourable Minister also to take up this issue with the Maharashtra Governent. I say this because they know the points at which corruption is there and they can tell you what action they took. This can be given to all the States and you can also review it and you can also decide as to what action should be taken now.

Sir, I want to mention two aspects. We want to reduce the expenditure of public sector. Then, Sir, we want to have a lost-cost economy. But the goods of the public sector are carried by whom? I would like to know whether any study has been made to find out the cost per kilometre per tonne of the goods transported by the private vehicles or private trucks. When I was incharge of the Department of Civil Supplies, I counted and found that from the Bombay Port to the FCI godowns in Bombay the transportation cost one crore of rupees annually. It was one crore of rupees annually at that time. Then we discussed this matter with the concerned officers and asked them to find out the cost of operation per kilometre per tonne and, to our utter surprise we found that it was more by thirty per cent and this is the type of profiteering that is going on. Are we going to see that this type of expenditure incurred by the public sector is reduced or not? Why not the Government start a corporation of its own? Why can't they have a corporation of their own only for the purpose of transporting the goods of their own departments like the PWD, Electricity, etc., or the Cicil Supplies Department? Why can't we have it? We should do it. You can also have another corporation for the public sector undertakings and you can have a fleet of trucks and you can have your own workshop. If you cannot do it, you can give it to the State Road Transport Corporations. If this is done I am sure that there will be economy in the expenditure of the public sector undertakings and this will give us more scope for reducing the cost which is going higher and

[Shri Jagesh Desai]

higher. This is the point I would like the Government to consider. The Maharashtra Government wanted to do it. Specially they made a study about that. At that time they wanted to give some funds for an ex-servicemen's transport corporation where only their drivers would be employed. And this type of transport corporation for goods should be established in all the States. At least they should make a study—what rates they are giving, what should be the economic after giving them sufficient margin, etc.? Has this study been made or not? Sir, I can tell you. We made a study. And when they know it that the Government had made a study it. we rejected the tender, and re-invited them and they came down by Rs. 15 lakhs only from the city of Bombay. What would be happening in other places? These were only the goods which were transported from works to godowns. And there alone they came down by Rs. 15 lakhs. So I want the Government to ponder over it and have some system by which the growth of the public sector and Government departments' goods can be carried through their own system.

Secondly, you are issued national permits. I am very happy about that. But don't make the mistake to give it for carrying passengers. If you want to completely kill your State transport system, then you can do it. What is happening is that in the name of tourist buses they carry passengers. Any person can go there and travel there. Are we going to encourage this? In the States of Maharashtra and Gujarat we have completely nationalised road passenger transport system. What we found was that in buses going from Goa to Bombay, though permit was given as tourist permit, they carried passengers at several points. Once in the month of May which is the peak season and when we should get the highest load factor, I want to Savantvadi and I asked my officers about the load factor. I was surprised when I was told that it was 66 per cent. I said that this was the season and we must have more than 100 per cent because we were carrying more passengers than the capacity and why it was 67 per cent only? After much discussion we found that from Savantvadi the private operators were carrying passengers and they arranged it in such a manner with the RTO and other officers that their buses would go first and then the State transport buses. Ultimately we issued an order that if in any buses with tourist permits going from Savantvadi passengers were found they will be confiscated. We did it. And what was the result? Next month only from Savantvadi the State revenue went up by Rs. 5 lakhs. I say that if you implement it properly, the State transport will not be in the red. But what is happening is that corruption is there; the RTO have completely colluded with the private operators and that is why the revenue of the State transport is leaking. I am sure that this Government is committed to the public sector. I am sure that we want that the public sector should grow, and that is why we have to help the public sector by not giving this type of facility to private operators. Real tourists must be given the facility. But if in the grab of tourists they carry passengers, with a very firm hand this tendency should be curbed.

With these words I welcome this Bill.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Sir, this Bill has been widely welcomed by the road transport industry and I congratulate the Minister for bringing this Bill in the House. The National Transport Policy Committee has recommended this amendment and the Transport Development Council also endorsed this in their meeting held in October last. National permits have been very popular because, as the Minister has said, this involves simplified procedures and the facility of single point

tax. Till now, there was a lot of corruption in the issue of national permits because of the demand and because of the restrictions placed by the Union Government on the States powers to issue permits freely Quotas were fixed to various State Governments and even in the States also there was a lot of corruption in the issuance of these permits. I am happy that with this amendment, the situation will change and everybody who applies for the permit will be able to get it if he satisfied the conditions in the Motor Vehicles Act. It is also very good for the smooth long distance inter-State transport. I am sure more and more people will come forward to undertake this occupation which already employs lakhs of people.

Sir, having welcomed the Bill. I would now like to give a few suggestions for the consideration of the Minister not only to make the Act more effective and more popular but also to streamline the road transport industry a little further which is the objective of the Bill also. A more amendment of this Act will not serve the purpose. Some more steps have also to be take because, as we all know, the Railways are saturated, and more and more people are turning to the road transport particularly for the movement of the high rated traffic because of the speed involved and minimum damage to the consignments.

On suggestion which I would like to make is that now as per the present rules, an applicant has to pay Rs. 2·000 per each State and I am sure this will be a heavy burden. I would like the Minister to consider whether this can be reduced to Rs. 1,000/- per State. There is also a rule that a minimum of five States should be applied for. I would like the Minister to consider whether it can be reduced to three States instead of five because, that way, the regional transport system will operate more effectively. One caution which has to be observed is that big transport companies are likely to take advantage of this amendment. Therefore, some restrictions should be placed on the permits to be issued to transport companies. As far as individuals are concerned, it will be freely available. But there must be some restriction on the permits to be issued to the transport companies. Now the road transport industry is suffering because of an abnormal rise in the prices of tyres and other accessories. Therefore the Government must ensure that the prices are under check. They should also encourage setting up of more accessory plants either in the public sector or in the private sector so that spare parts will be available at cheaper rates. The periodical and the abnormal increase in the price of diesel is also affecting this industry because they have to increase their rates. Apart from the consumers being affected by the escalation of prices, resulting in very higher transport costs, the transport operators also are likely to lose custom because they have to increase their rates and as a result, when they have to compete with other modes of transport, probably they may be at a disadvantage.

Another point which I would like to refer may not be strictly under the control of the Union Government but they can give guidelines. Today, as per the present system there is multiplicity of authorities which controls the road transport in the States. The motor vehicles department or the transport department is there and the police department is also there and the operators are subjected to harassment at every point, at every checkpost, and policemen collect money from them on various grounds, the brake inspectors also harass them. I really find no reason why the police should at all be involved in this. If the checks have to be conducted whether the vehicles are in road-worthy condition or not, that can be done by the motor vehicles department or the transport department. Because of the

[Shri Parvathaneni Upendra]

multiplicity of these agencies, the harassment is much more and the transport operators are subjected to great disadvantage.

Lastly, Sir, one more suggestion is that the Government should encourage more and more stoppage points where the drivers can take some rest because they will be going a long distance and in order that they avoid accidents there must be some points where they can halt and take some rest, etc. The Ministry should be aware that in advanced countries they have got, what you call plazas, where you can have the fuel, you can have accessories or parts and you can have a meal. At such places you can take a little rest also and sanitary and bathroom facilities are also available there. Such kind of things must be encouraged. It can either be on the basis of a joint venture by some operators or the Government itself can provide these facilities. That way there will be less accidents and the transport industry will run smoothly.

Thank you Sir.

श्री सत्यप्रकाश मालवीय (उत्तर प्रदेश): माननीय उपसभाध्यक्ष जी, कोई अगर अच्छा काम किया जाता है लेकिन अगर उसके लिए रास्ता खराब अपनाया जाता है तो यह किसी भी लोकतांत्रिक सरकार के लिए उचित नहीं है 26 अप्रैल, 1978 को तत्कालीन केन्द्रीय जनता सरकार ने राष्ट्रीय परिवहन समिति बनाई थी और उस समिति ने अपनी रिपोर्ट सरकार के पास मई, 1980 को प्रस्तुत कर दी थी । जो सरकार या जिस दल की सरकार 1980 में थी वह तब से लेकर अब तक रही है लेकिन 28 जनवरी 1986 को अध्यादेश के जरिए मोटर यान अधिनियम को संशोधित किया जा रहा है । अध्यादेश का किसी भी लोकतांत्रिक देश में रोजमर्रा के काम में प्रयोग करना एक प्रकार से जो सरकार को अधिकार प्राप्त है उसका दुरुपयोग है और ऐसा इस सरकार को नहीं करना चाहिए और विशेषकर के 28 जनवरी 1986 को जिस दिन अध्यादेश की मार्फत संशोधन किया गया उसके पहले ही संसद का वर्तमान अधिवेशन राष्ट्रपति के द्वारा आमंत्रित किया जा चुका था । इसलिए अपने उत्तर में मंत्री जी से यह जानना चाहूंगा कि आखिर क्या ऐसी आपात स्थिति थी या ऐसी क्या आवश्यकता थी कि इस संशोधन को अध्यादेश के जरिये सरकार को करना पड़ा जब कि जिस समिति की चर्चा की गई है उस समिति ने एक नहीं अनेकों अपनी संस्तुतियां सरकार को दे रखी हैं और जो सरकार के पास मई, 1980 से ही विचाराधीन है । उद्देश्य और कारण में जो बतलाया गया है उससे मैं सहमत भी हूं कि यह जो राष्ट्रीय प्रोब्लम है इसके लिए राज्यों में जिनकी संख्या सीमित थी तो सीमित संख्या होने के कारण वहां बहुत ज्यादा भ्रष्टाचार था और सीमित संख्या को असीमित करने से जो व्यवस्था की जा रही है निश्चित रूप से इससे भ्रष्टाचार चाहे दूर न हो सके लेकिन उसके कम होने में लोगों को लाभ जरूर होगा । मैं एक बात यह कहना चाहता हूं कि...

उपसभाध्यक्ष (श्री संतोष कुमार साहू): मालवीय जी क्या आप दो तीन मिनट में खत्म करना चाहेंगे ?

SHRI SATYA PRAKASH MALAVIYA: I will continue after lunch.

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): So we adjourn for lunch. The House stands adjourned till 2.30 p.m.

The House then adjourned for lunch at thirty-one minutes past one of the clock.

The House reassembled after lunch at thirty-two minutes past two of the clock. **The Vice-Chairman (Shri M. P. Kaushik)** in the Chair.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): We shall continue with the discussion on the Motor Vehicles Amendment Bill. Shri Malaviya to continue his speech.

श्री सत्यप्रकाश मालवीय : मान्यवर उपसभाध्यक्ष जी, मैं निवेदन कर रहा था कि वर्तमान अधिनियम में जो संशोधन किया गया है इससे, निश्चित रूप में, जो लोगों को परेशानी होती थी और जो भ्रष्टाचार व्याप्त था, उसमें कमी होगी। यह अधिनियम एक केन्द्रीय अधिनियम है लेकिन इसके कार्यान्वयन का जो काम है वह राज्य सरकारों के पास है इसलिये लोगों को विशेष दिक्कत होती है क्योंकि इसमें जितने भी आर० टी० ओ० के कर्मचारी हैं या राज्य के पुलिस कर्मचारी रहते हैं उनका सीधा संबंध राज्य सरकारों से रहता है और इसलिये केन्द्रीय सरकार इस कानून में जो बातें हैं उनको प्रभावी करने में बहुत कुछ नहीं कर पाती है। इसलिये मेरा निवेदन यह है कि जो कानून की मंशा है कि वह निश्चित रूप से प्रभावी हो और जिन लोगों के लाभ के लिये इस कानून में संशोधन किया जा रहा है उनको इसका पूरा लाभ मिले, इसके लिए केन्द्र सरकार के संबंधित विभाग को विशेष ध्यान देना चाहिए। इसके अतिरिक्त जैसा कि मैंने शुरू में निवेदन किया कि जिस राष्ट्रीय परिवहन निगम की चर्चा की गई है उसमें बहुत सी संस्तुतियां की गई हैं। एक संस्तुति यह की गई थी कि यह जो चुंगी प्रणाली है इसको समाप्त किया जाये। इसके पहले भी इस बारे में अनेक समितियां बैठ चुकी हैं जैसे कि मोटर व्हिकिल टैक्सेशन इन्क्वायरी कमेटी, 1950, मसानी कमेटी 1959, डा० केसकर कमेटी, 1967, वानखण्डे स्टडी ग्रुप, 1971 और अंतिम कमेटी बनी है झा कमेटी 1978। इन सारी कमेटियों ने यह संस्तुति की थी कि चुंगी प्रणाली को समाप्त किया जाना चाहिए। केन्द्रीय सरकार का यह तर्क है, यह दलील है कि क्योंकि चुंगी लगाने का अधिकार राज्य सरकारों को है या राज्य सरकारों के अन्तर्गत जो स्थानीय निकाय हैं उनको है, इसलिये केन्द्रीय सरकार को इसमें दिक्कत होती है। अभी हाल ही में मैंने मंत्री जी का वक्तव्य समाचार-पत्रों में पढ़ा है जिसमें उन्होंने स्वयं कहा है कि जो चुंगी प्रणाली है उसको खत्म होना चाहिए। अभी हाल में जो पेट्रोलियम पदार्थ हैं, चाहे पेट्रोल हो, डीजल हो, कुकिंग गैस हो या मिट्टी का तेल हो, इनके दामों में भारी वृद्धि की गई है। इसके लिये सरकार की ओर से एक तर्क, एक दलील यह प्रस्तुत की गई है कि क्योंकि इनमें से कुछ वस्तुओं का इस्तेमाल ज्यादा लोग करने लगे हैं और इनकी खपत भी ज्यादा हो रही है, इसलिये मजबूर होकर इन चीजों की कीमतें सरकार को बढ़ानी पड़ी हैं। शायद यह दलील इसलिये दी गई है जिससे ये आवश्यक पदार्थ आम जनता की पहुंच के बाहर हो जाय। मैं इस वक्त इस बहस में नहीं जाना चाहता लेकिन जो चुंगी के बेरियर्स होते हैं, जगह जगह ट्रकों को रुकना पड़ता है, जगह जगह बेरियर्स के कारण मोटर गाड़ियों को रुकना पड़ता है इस वजह से पेट्रोल और डीजल नष्ट होता है, मेरा निवेदन यह है कि इस ओर भी सरकार को विशेष ध्यान देना चाहिये। इस सम्बन्ध में जो वर्तमान कमेटी है जिसकी ओर ने आपका ध्यान आकर्षित किया है और जो पहले चार-पांच कमेटियां बनी हैं जो रिपोर्ट नेशनल ट्रांसपोर्ट पालिसी कमेटी की है और जो अन्तिम कमेटी झा कमेटी बनी थी उन्होंने जो संस्तुति की है उसका उद्धरण मैं मंत्री जी के समक्ष प्रस्तुत करना चाहूंगा—

"While commenting on octroi, the Jha Committee observed that it is a regressive duty, violates the principle of free flow of trade across local boundaries, and encourages concentration of industries in metropolitan areas. The Committee's study of effect of octroi on a few selected trunk routes has also

[श्री सन्यप्रकाश मालवीय]

brought out that 30 to 46 per cent of effective travel time is lost at check-posts and the socio-economic cost of octroi is much more than the revenue it yields."

दोनों ओर इस कमेटी ने ध्यान आकर्षित किया है । एक तो पेट्रोलियम पदार्थ नष्ट होते हैं, बेकार हो जाते हैं इसकी ओर कमेटी ने ध्यान आकर्षित किया है और साथ साथ ट्रकों के आवागमन के सिलसिले में भी समय नष्ट होता है इस ओर भी कमेटी ने ध्यान आकर्षित किया है। झा कमेटी ने भी यह संस्तुति दी है । केन्द्रीय सरकार ने जो दलील दी है उसके होते हुए भी उत्तर प्रदेश सरकार ने इस विषय में बहुत अच्छा कदम उठाया और इसलिए उत्तर प्रदेश सरकार के उदाहरण को सामने रखते हुए केन्द्र को अन्य राज्य सरकारों को सलाह देनी चाहिये । उसका उद्धरण भी मैं आपके सामने रखना चाहता हूं । यह पैराग्राफ 4.5.6 में है—

"The suggestion made by the Jha Committee to abolish check-posts in a phased manner appears to be the only feasible solution. The Uttar Pradesh Government has successfully abolished 1,800 out of the total of 2,500 octroi check-posts in the State and has also found it possible to compensate loss of revenue to local bodies without any Central assistance. We commend this example for consideration by other States".

इसके बाद झा कमेटी ने भी यह संस्तुति दी है कि किश्तों में केन्द्रीय सरकार को सुझाव देना चाहिये राज्य सरकारों को कि जो चुंगी की व्यवस्था है उसको समाप्त किया जाए । मेरा आपसे अनुरोध है जिसकी ओर मैंने शुरू में भी ध्यान आकर्षित किया था कि जब इस में अनेक संस्तुतियां हैं तो केवल एक संस्तुति को लागू किया जा रहा है, इसलिए इस सम्बन्ध में सरकार को एक व्यापक और कम्प्रेहंसिव कानून लाना चाहिये । झा कमेटी की संस्तुति को देखते हुए और जो वर्तमान कमेटी ट्रांसपोर्ट के सिलसिले में है जिसकी रिपोर्ट सन् 1980 में सरकार के पास भेजी गई थी इसकी संस्तुतियों को देखते हुए सरकार को एक व्यापक संशोधन लाना चाहिये । इन शब्दों के साथ अध्यादेश के माध्यम से कानून बदलने का विरोध करते हुए जो आपकी मंशा है उसका मैं समर्थन करता हूं ।

SHRI S. W. DHABE (Maharashtra): Mr. Vice-Chairman Sir, I support what my hon. friend Shri S. P. Malviya has said about the misuse of Ordinance-making power. This Ordinance was issued knowing full well that Parliament Session is going to be held earlier on the 17th and now on 20th. The whole aims and objects do not show what the urgency was for issuing an Ordinance. If there were any special circumstances, I would like the Minister to clarify, otherwise it is totally a contempt of this House and Parliament and against all traditions. In fact in some States, we know how the Ordinance-making power is absolutely being misused even without the Assembly meeting and putting the Bills before the Assembly. The Ordinance-making power is used to continue the legislation for years together. Fortunately, that is not the position in our House. But I do not find an iota in the whole aims and objects of the Bill why this power was exercised and what were the extraordinary circumstances. The Second point I want to submit is that such piecemeal concessions without a proper nation transport policy will lead our country to chaos. On the one hand we are saying that we have got very limited petroleum resources—we have to import crude oil from many countries and our exploitation is not sufficient to meet the growing demands of crude oil or petroleum—while on the other hand, in the last five years so many licences were given for manufacturing motor vehicles mopeds and two-wheelers and there is no nexus between our policy of conservation of petroleum products and manufacture of vehicles which use oil on a very

high scale. Therefore, I would like to know from the Minister whether any estimate has been made as to how many more vehicles will be put in operation by this new policy in the next five years and what will be the effect on our economy. Otherwise the Finance Minister will use, what is called, his weapon of administered prices and increase the prices of petroleum products on the ground that we want to conserve petrol and it should be used less and less. If you go on giving free permits and if we manufacture more and more vehicles, how can you conserve. Therefore, this is a contradition in the policy and this is a very important point.

Sir, the Motor Vehicles Act was enacted with the object of restricting the motor vehicles and to avoid competition with the railways and that was how the national or regional permit system was started. Now the object is totally changed and therefore this Act has become absolutely out of date. There is a need to change the whole legislation. The most important recommendation of the Committee on National Transport Policy is to have a coherent new motor vehicle legislation. That is the recommendation. I would like the hon. Minister to see it for himself. Here I will point out what are the recommendations of the National Transport Policy Committee.

Firstly it is not clear as to how many recommendations have been accepted by the Government of the many recommendations which have been made by the National Transport Policy Committee, whose recommendations had been submitted in 1980. Now their recommendations itself says that there should be a coherent motor vehicles legislation without which it will not be possible. In Chapter 11 at page 372, under recommendation No. 3 of their report, the Committee said:

"The Motor Vehicles Act needs to be replaced by a coherent legislation for promoting adequate, efficient, safe and economic road transport."

In this regard, when the matter has been discussed in para 11.5.3, it has been stated:

"The main purpose of the original 1939 Act was to regulate motor transport primarily to avoid competition with the railways. With the phenomenal growth in road and road transport system since 1951, the restrictive character of this legislation has lost its relevance. The Act as such cannot possible meet positive requirements facilitating road transport, particularly inter-State movement of goods and passenger. Secondly, piecemeal amendments made in the Act from time to time have rendered it cumbersome and complicated. We gather that Ministry of Shipping and Transport has received a number of suggestions for revising the Act from various quarters like the Transport Development Council, the Standing "Committee on Road Transport, State Governments, organisations and individuals interested in road transport. After making a preliminary scrutiny the Ministry formulated in June 1979 a comprehensive proposal for further amendment of the Act which is given in annexure 11.2. The proposed amendment mainly seek to simplify the procedure for granting permits and removing anomalies. providing stringent punishment for violation or driving regulations, and formulating uniform rules and regulations on height length, width laden weight, and seating capacity of motor vehicles applicable throughout the country. We feel that there is urgent need to overhaul the Act and replace it by a positive and coherent piece of legislation, which should help promote an efficient, economic and safe road transport system capable of meeting the growing demand on it."

Giving the picture, in this Report they have shown the phenomenal growth

[Shri S. W. Dhave]

of the population of the motor vehicles in our country. There has been no census made in our country, the Reports says about the number of animal-drawn vehicles, hand-drawn carts, bicycles, cycle rickshaws and tongas. So far as the motor vehicles are concerned, between 1950-51 to 1978-79 they have increased more than ten times. In 1950-51 the motor vehicles were 3.06 lakhs. In 1960-61 they were 6.65 lakhs. In 1970-71 they were 18.65 lakhs. At the end of 1977-78 they were 32.36 lakhs. Thereafter they have given the figures about two-wheelers. It says that there was a phenomenal increase in the number of two-wheelers, three-wheelers and other vehicles. Further it says that the number of two-wheelers alone increased phenomenally from 26,860 in 1950-51 to 13.96 lakhs in 1977-78 or over 50 times in 27 years.

If this is the phenomenal growth and the Government policy is of giving indiscriminate licences for mopeds and other vehicles, the consumption problem will be very serious. I do not find any indication of what the Government wants to do in these matters.

Sir, transport has got a very important place in our economy. There are not proper village roads, no proper districts roads. Therefore, there is no communication for transport of agricultural goods. The State roads are also in a very bad conditions. In fact transport is an essential element in an integrated plan of development. Inadequacy of transport has hampered the growth of the trade of agricultural commodities in our country. Transport has got a very important place so far as agricultural is concerned.

One more point I want to raise is about the diesel consumption and about the competition between the private transport and the public transport undertakings just like in Delhi and also in Maharashtra and other places. With giving permits for the transport system, to private operators, the demand will be further increased and also there will be more passenger traffic. If that is done, then all the economy that has been built in the State sector, in the State transport sector, by bus transport companies or corporations will be nullified. All the private routes have been taken over by the State Governments for the transport system. Now, with this introduction, if we are going to revert back, the Government must consider twice what the impact will be on our total economy.

In this connection, I do not find that the Government has applied its mind on how many vehicles should be manufactured, what the impact will be for the last fifteen years how much petrol consumption will be there, whether there will be no problem in the system when these permits are given, whether really more traffic will be allowed, what the impact on our economy will be, what our fuel policy will be. Therefore, I suggest to the Minister that instead bringing such a piecemeal legislation we should have a coherent transport policy. I request him to make a statement in the House in this regard so that the Motor Vehieles Act is amended in the light of the transport policy recommendations made from time to time.

श्री शंकर सिंह वाघेला (गुजरात) : सर, हमारे माननीय सदस्यों ने व्हिकल्ज की स्थिति के बारे में बहुत कुछ बताया है। पहले नेशनल परमिट थे और तब हर राज्य का कोटा था। उस कोटा में से इनकी अपनी रेवेन्यु होती थी। इसमें राज्यों के कोटा में जो रेवेन्यु का मामला है वह क्लीअर नहीं है। उनकी रेवेन्यु का क्या हो ? वैसे राजस्थान में राज्य का टैक्स 1500 है, गुजरात में दो हजार है। तो 1500 वाले में व्हिकल्ज के ओनर्ज सब चले जायेंगे। उसमें यह है कि वह वहां का रहने वाला होना चाहिए। वहां पर रहने का दिखाना कोई बड़ी बात नहीं है। गुजरात का रहने वाला महाराष्ट्र का भी हो सकता है, वह कहीं का भी हो सकता

है । सिर्फ एड्रेस दिखाना है । टैक्स रेवेन्यु का लास उस राज्य को होगा । इसका भी प्रावधान आपको सोचना चाहिए ।

दूसरा माननीय उपसभाध्यक्ष जी, बैंड वैदर रोड जो है पहले तो जोनल परमिट सिस्टम था इसलिए उसे व्हिक्ल को वहां जाना ही था और अब वे उस एरिया में नहीं जायगे । इससे उनके वहां नहीं जाने से जीवन की जरूरी वस्तुओं के भाव बढ़ जायेंगे क्योंकि ज्यादा फ्रीक्वेंसी उनकी नहीं रहेगी । इसलिए बैंड वैदर रोडज जो हैं उसमें भी उस राज्य की सिंचाई होनी चाहिए कि वह रास्ता ठीक करे और साथ ही व्हिक्लज़ वालों के लिए भी हो कि उनको वहां जाना ही है । जो जरूरी चीजें वे वहां ले जा रहे हैं वे वहां पर नहीं पहुंचेंगी तो उसकी वहां पर कमी होगी । इसलिए दाम अपने आप बढ़ जायेंगे ।

तीसरा पहले जो परमिट सिस्टम था कि वीकर सेक्शन्ज का अलग से परमिट का कोटा है अब वह मारा जायेगा क्योंकि इसमें कोटा नहीं है । अब जो फाइनांस होता है आम तौर पर स्टेट की फाइनेंशियल इन्स्टीट्यूशन्ज इतनी एक्सपर्ट नहीं होती हैं इतनी एफीशियेंट भी नहीं होती हैं । एज व्हिक्लज परचेज करने वाले वे इतने एफीशियेंट नहीं हैं । लेकिन यह सब कुछ कायदे से होना चाहिए । यहां पर कोई नेशनल ट्रांसपोर्ट व्हिक्ल फाइनांस इन्स्टीट्यूशन बनाई जाए, जिसमें से एक पिछड़ा हुआ वर्ग जिनके लिए जो परमिट का कोटा था ऐसा ही लोन का कोटा भी इनके लिए 35 या 40 परसेंट दिया जाए । इसके लिए यही नेशनल लेवल का फाइनांसियल इन्स्टीट्यूशन या कार्पोरेशन जो भी हो वह इनकी मदद करे । व्हिक्ल बढ़ते हैं, सब लोग कहते हैं कि अच्छा है । फ्यूल का ज्यादा कंजम्पशन न हो इसलिए हम भाव बढ़ाते हैं लेकिन फिर भी व्हिक्ल बढ़ते हैं, रास्ते पर चलते हैं । इसके साथ ही रास्ते पर चलने वालों की संख्या भी बढ़ती है । यह एक विशियस सर्किल है । रास्ता ठीक होना चाहिए और व्हिक्ल भी अच्छा होना चाहिए । इसके लिए हर व्हिक्ल के लिए रोडवर्दी टैस्ट हो । वह टैस्ट 6 महीनें में या 3 महीने में होना चाहिए । उसमें देखा जाना चाहिए कि क्या व्हिक्ल की ब्रेक ठीक है, उसकी लाइट ठीक है, उसमें से धुंआ जो निकलता है वह ठीक है । इसके लिए रोडवर्दी टैस्ट अवश्य होना चाहिए । आजकल प्राइवेट बसेज़ ज्यादा चल रही हैं । इनकी स्पीड की भी सीमा तय कर देनी चाहिए । 60 किलोमीटर से ज्यादा नहीं होनी चाहिए । इनकी स्पीड पर रोकथाम होनी चाहिए । इन्हीं शब्दों के साथ मैं अपना स्थान ग्रहण करता हूं । धन्यवाद ।

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): Now the Minister will reply to the debate.

SHRI RAJESH PILOT: Mr. Vice-Chairman· Sir, when the Government took this decision after the National Transport Policy Committee's recommendations, we have received thousands of letters and thousands of telegrams commending the Government's decision that this is one step which is in the interest of the nation and a progressive step. When I entered the House, I had the same feeling that the House will also have similar feeling for such a commendable job done by the Government. But anyway I really forget that India still retains the democracy and the degree of democracy is increasing day by day.

Sir, you have seen the mood of the House. By and large most of the Members have commended this step including my Opposition friends except one or two hon. Members. I would reply to their questions one by one which they have raised just now.

सर, मेरे सहयोगी श्री शंकर सिंह वाघेला जी ने तीन-चार बातें कही हैं । एक तो कहा है कि एमपीज और एम० एल० एज० को इतनी पावर होनी चाहिए कि वे किसी भी ट्रांसपोर्ट को चेक कर सकें, ऐसा कोई पासपोर्ट न, ऐसी कोई परमीशन जैसी चीज देनी चाहिए । मेरे ख्याल में जिस दिन लोग चुनकर हमें भेजते हैं, असली पावर तो हमें उसी दिन ही मिल

[श्री राजेश पायलट]

जाती है । अब उस पावर को कोई यूज न करें, उसमें कुछ लोग भी नहीं कर सकते और सरकार भी कुछ नहीं नहीं कर सकती । अगर वाघेला जी किसी ट्रांसपोर्ट को रोक कर पूछें कि आप तेज क्यों चला रहे हो और उसका नाम, नम्बर लिखकर सरकार को भेजें और अगर सरकार ही उनसे पूछे कि आपने क्यों चेक किया, तब तो आप सरकार को ब्लेम कर सकते हैं । लेकिन आप प्रयत्न ही न करें और कहें लिखकर न दें और उसका यूज न करें तो सरकार का या पब्लिक का कसूर क्या है और एम० पी० की जो पावर है, वह काफी हद तक होती है . . . (व्यवधान) . . .

श्री शंकर सिंह वाघेला: इसका उपयोग भी किया था । वही पुलिस डिपार्टमेण्ट का है, हमें थाने में जाकर डिटेल देनी पड़ती है, खाली लिखकर देने से नहीं होता है । हमने दिया था . . .

श्री राजेश पायलट : वाघेला जी महात्मा गांधी जी ने गोलियां और कोड़े खाए थे, लेकिन व रुके नहीं थे, अपने काम से आगे लगातार चलते रहे । अगर आप में भी हिम्मत है तो इंसाफ के लिए लड़िए और आगे चलते रहिए । यह नहीं कि आपको एक इंस्पेक्टर साहब ने लिखकर दे दिया या मंत्री जी ने लिखकर दे दिया और बैठ जाएं ।

दूसरी बात इन्होंने कहा कि रोड-वरदी टैस्ट होना चाहिए । यह सही बात इन्होंने कही है । इसमें सरकार भी बहुत चिन्तित है कि एक्सीडेंट किस तरह कम हों । यह सुझाव और भी बहुत जगह से आया है और हम लोग कोशिश कर रहे हैं कि किसी तरीके से रोडवरदी सर्टिफिकेट हर व्हीक्ल का इण्टरवैल पर होना चाहिए ।

सदस्य महोदय ने यह बात बार-बार कही कि इतनी जल्दी क्या थी इस आर्डिनेन्स को लाने की । इस मोटर व्हीकल एक्ट के बारे में सभी लोगों ने शिकायतें की थीं कि सन् 1939 का यह मोटर व्हीक्ल एक्ट है, जो अब तक अमेण्ड नहीं हो पाया । हमारी सरकार ने कमेटी बैठाई है और बहुत जल्दी हम कोशिश, करेंगे, इस पर सारे प्रदेशों से सलाह करके, जो ट्रांसपोर्टर हैं, जो इसको यूज करते हैं, जो कन्सर्न आदमी हैं, उन सबसे सलाह करके एक फार्स में, एक असली फोर्स में लाएंगे जिससे आज के युग की, आज के जमाने की जो कंडीशन्स हैं, उसका फायदा उठा सकें और जो अपना सिस्टम है, अपने साधन हैं, उनको मोडीफाई हम कर सकें आज की जरूरत के मुताबिक । तो बहुत जल्दी सरकार इस मोटर व्हीकल एक्ट को अमेण्ड करके आपके सामने लाने की कोशिश कर रही है ।

एक और पाइंट, जो इन्होंने वीकर-सेक्सन के बारे में कहा है । वाइस चेयर-मेन सर, वीकर सेक्शन की पहले रिस्ट्रक्शन थी । हर प्रदेश में कुछ परसेंटेज बंधी हुई थी । परमिट संख्या पर सीमा हटने के बाद वह परसेन्टज खत्म हो गयी । वह जहां चाहे जितने परमिट ले सकते हैं । जहां तक मोनोपोली का सवाल है, इसमें एक क्लाज रखी है कि कोई भी कम्पनी सात परमिट से ज्यादा नहीं ले पाएगी और कोई भी इण्डीविजुअल तीन से ज्यादा परमिट नही ले पाएगा । इन सब बातों को ध्यान में रखकर ही यह किया था, जिससे कोई गलत प्रैक्टिस न हो ।

लोन का जहां तक सवाल है, उसमें कुछ असुविधाएं हो सकती हैं और शंकर सिंह जी ठीक कह रहे हैं कोई एसी तरकीब निकाली जाए, जिससे गरीब वर्ग और कमजोर वर्ग के नागरिक आसानी से लोन ले सकें । मैं प्रदेश सरकारों से भी कोशिश करुंगा और हमारे फाइनेन्स मिनिस्टर जी यहां बैठ हुए हैं, इनसे भी मैं कोशिश कर रहा हूं, हमारी सरकार ऐसा कोई फायदा निकाले, जिससे वीकर सेक्सन की असली तरीके से मदद हो सके । जहां तक टैक्स रेवेन्यु की बात है, सभी स्टेटों के ट्रांसपोर्ट मिनिस्टर हाजिर थे, सब ने यही सलाह दी कि यूनीफार्म सिस्टम रखें । पहले एक हजार रुपया था हमने उसे दो हजार रुपए कर दिया ।

3 P. M.

ऐसी स्टेट भी थी जिनका सुझाव दो हजार रुपया था, कुछ को एक हजार और कुछ का पन्द्रह सौ । हमने दो हजार इसलिए किया कि नुकसान किसी को न हो, फायदा चाहे किसी को हो जाये । कोई भी आदमी अपना गाड़ी जहां रहने वाला है वहां रजिस्टर कराये, उस स्टेट को टैक्स दे, जितनी स्टेटों में आपरेट करना चाहता है—कम से कम 5 स्टेट रखी गई हैं—उनका टैक्स एक ही जगह दे दे, हर स्टेट को उसका टैक्स ट्रांसफर कर दिया जायेगा । सुधार की कोशिश बहुत की गई है, फिर भी कोई भी ऐसे सुझाव आपके होंगे तो मैं उनको दिखवा लूंगा । परमिट मांगने वाला उसी राज्य का रहने वाला हो जहां से वह परमिट चाहता है ।

उसके बारे में रिजर्वेशन बताए गए । सरकार कोशिश कर सकती है, रेस्ट्रिक्शन लगा सकती है जिससे गलत काम न हो, लेकिन हम सब की ड्यूटी है कि हम सही तरीके से काम करें । ऐसा फूल प्रूफ सिस्टम कोई नहीं है कि जिसमें एक परसेंट भी इधर-उधर न हो सके । कोशिश की गई कि जो रजिस्टर कराए वह उसी प्रदेश का रहने वाला होना चाहिए जिससे गड़बड़ी न हो ।

Shri Mohanan was also complaining on hurrying the Ordinance which I had explained. Then, Sir, he was making certain comments. I won't say and I do not know what he has in mind. He has commented that today Company Directors or Company Executives are on top of the Government and I won't give explanation for his sentence. But I can give my explanation for what he had about me. I think the Parliament issues a book which is known as WHO IS WHO and it is purely for this purpose that we know each other well, before we comment on each other. Neither I was a Company Executive anywhere nor anybody in my family generation had been a Company Executive. Not in my previous generation and I am hopeful that nobody in the future also. My father was in the Army. I was in the Air Force. I had been exserviceman. I think, somebody has misguided that I was with some private company or I was a Company Executive. I had been a soldier and I think, everyone in this country has been praising soldiers. I do not know how you change your version as you feel like. But I thought that you all praise servicemen. On that line, as I pointed out, we had no intention to go for privatisation and why this sector and this is one of the steps that we have taken so that monopoly is reduced. Government has something in hand so that we do not allow monopoly—with this action of ours. Whatever loopholes were there where a poor person could not approach for a national permit because he really did not know and there were a lot of hurdles for a poor man for getting the benefit, that is why, we came out with this offer. We had no intention that we will increase monopoly of private operators or other people. It is for the common man now. He can go and buy his truck even if he starts a small industry, he can buy a truck with that. Earlier, what used to happen was that if a poor graduate or unemployed graduate gets a licence for industry he had to run around for transportation. Now, he is free. With the industry itself. He will have a truck for himself and he can operate on his own. Secondly, by having a competition, you will be bringing down the prices. Today, suppose one company charges Rs. 10 for carrying the goods, another owner of a truck operates for Rs. 8. You will certainly go to a person who operates for Rs. 8. So the intention of the Government should be very clear. We have made it clear in our statement, in the Statement of the Bill that we want to have competition so that we have better results and a citizen gets better facilities. That is the intention. Our Government has been always for public sector. Though we have suffered also in public sector, still, we are encouraging the public sector and supporting it from the Government side to a great extent. So, your thinking that we are turning towards privatisation is wrong. Then, he said, Railways will suffer losses. We had consulted the Railways and after consultation with the Rail-

[Shri Rajesh Pilot]

ways only, we have come up with this offer. He also mentioned about Motor Vehicles Act and the National Transport Committee Policy recommendations. We are coming out with their recommendations in combination with the amendment to the Motor Vehicles Act soon. As I mentioned earlier, we have formed a committee and the moment the committee's recommendations are received, we will come with a cohesive form of Motor Vehicles Act in tune with today's needs. So your suggestion is taken care of and we will certainly take note of it.

Mr. Narayanasamy has mentioned about driving tests for the drivers. This is a real complaint. Most of the States have driving schools, but some do not have. We are insisting that each State should have a driving training school and also a driving testing school so that when a driving licence is given the driver is tested carefully. We have started this and we will improve upon this.

Sir, Mr. Babul Reddy has complained about the Motor Vehicles Act, 1939, to which I have replied. Mr. Reddy talked about the road conditions. The Government is aware of it, and we are taking steps to improve the condition of the roads. He also mentioned about highway patrolling. Sir, highway patrolling at the moment is one by the State Governments. The Central Government is thinking of having more security on the roads to give more confidence to the citizens travelling by road.

SHRI K. MOHANAN: Not highway patrolling but highway roberry by police was mentioned.

SHRI RAJESH PILOT: I am coming to that. He also complained that there is corruption and there is jugglery of figures. I agree with him and I will certainly write to the Chief Minister of the concerned State. There are a lot of complaints about corruption in that State that is. Andhra Pradesh. We will also mention this. We will certainly add your comments and we will send it to the Chief Minister. The moment a reply comes from there, I will certainly come back to you.

SHRI N. K. P. SALVE (Maharashtra): The Andhra Pradesh Chief Minister?

SHRI RAJESH PILOT: I will write to him.

SHRI N. K. P. SALVE: You will?

SHRI RAJESH PILOT: Yes. He is a Member of Parliament from Andhra Pradesh?

SHRI N. K. P. SALVE: He has complained?

SHRI RAJESH PILOT: Yes. So I will write to him. Why not?

SHRI N. K. P. SALVE: Of course.

SHRI RAJESH PILOT: I must forward his suggestion to him. We cannot fight him in the State. At least the Central Government will fight for a good cause. We are always there. We will fight in he State or in the Centre.

Mr. Desai mentioned about RTOs' corruption and all that. This is a State subject. I have noted the feelings of the Members. When I have the next TDC meeting with the State Transport Ministers, I will point out this so that some effective steps can be taken in this direction. Then he mentioned about liberalising but permits. We did discuss about this in the Transport Development Council but, as Mr. Desai would agree, the State Governments were insisting that the moment you liberalised this system in bus the State transport undertakings would get into losses. They are also right up to a certain extent. The moment the private parties are given permission something they operate as stage carriages which harms the reve-

nue of the public undertakings. We have appointed a small committee of four or five Transport Ministers from the north and south zones. It will go into the details of what can be done to improve this system. The moment the committee's report comes, I would certainly come back to the House.

Sir, Mr. Upendra has, of course, welcomed it, but he has said that Rs. 2·000 for each State was too much. He asked for a reduction to Rs. 1,000. This was a decision taken after conculting all the Transport Ministers of the States. They had all agreed that it should be Rs. 2,000. His own State Transport Minister has agreed to making it Rs. 2,000. So I don't think it will be possible to change at this moment. He also said that monopolies will increase if we remove these restrictions. As I have mentioned, we have put a restriction that no company can get more than seven permits for this system and no individual can have more than three. So that doubt should not remain.

मालवीय जी ने शुरूआत की थी कि इस आर्डिनेंस से लोकतंत्र की हत्या हुई है । अब मालवीय जी लोकतंत्र की बात करें तो बात कुछ जचती नहीं, क्योंकि 1979 को ज्यादा दिन नहीं गुजरे हैं । केवल 6 या 7 साल ही गुजरे हैं और सबको ही पता है कि आप की पार्टी ने लोकतंत्र की उस समय कैसे रक्षा की । किस तरह से लोकतंत्र को बचाकर उन्होंने रखा । यही नहीं, आपकी पार्टी को जहां भी मौका मिला है, लोकतंत्र को वहां अच्छी तरह बचाया चाहे दिल्ली हो या यू० पी० हो ।

जहां तक इन्होंने नेशनल ट्रांसपोर्ट पालिसी कमेटी की बात कही है, इन्होंने जो भी सुझाव दिए हैं उन्हें मैं दिखवा लूंगा । लेकिन जो चुंगी वाली प्रणाली की बात है, हम लोगों ने कोशिश की है कि एक ही जगह से चुंगी हो, जहां से माल जाए वहां पर विडो कनवेशन हो जाए और उन स्टेट्स को भेज दिया जाए । 13 प्रदेशों ने हमारी बात मानी और चुंगी को अबोलिश कर दिया है, 9 स्टेट्स अभी बाकी बची हैं । हमारी सरकार ने बहुत कोशिश की है । मैंने इन 9 स्टेट्स के चीफ मिनिस्टरों को पत्र लिखकर उनसे प्रार्थना की है कि इससे बहुत बड़ा फायदा होगा, आप इसको समाप्त करने के लिए कदम उठायें । जैसा मालवीय जी ने कहा, इससे ट्रैफिक एक्सीडेंट्स होते हैं, ट्रैफिक रुकता है, रास्ते बंद होते हैं । इस तरह से हमने किया है कि जहां से सामान जाए डेस्टीनेशन तक वह न रुके । इनका यह सुझाव बहुत अच्छा है और सरकार कोशिश कर रही है कि सारे देश में एक यूनिफार्म सिस्टम हो जाए ।

जहां तक जल्दी की बात मालवीय जी ने कही, हम चाहते हैं कि जो काम जनता के लाभ का हो उसमें जल्दी हो, उसे जल्दी से जल्दी लागू किया जाए । इस वजह से हमने जल्दी की थी आर्डिनेंस लाकर कि जितनी जल्दी लोगों को सुविधा दी जा सके, उतना ही अच्छा है । रोज शिकायतें आ रही थीं कि गलत तरीके इस्तेमाल हो रहे हैं । मैं हाउस को यह भी बता दूं कि कहीं कहीं जो रिजर्वेशन हैं शैड्यूल्ड कास्ट की, वहां भी गरीब भाई के नाम पर परमिट लेकर दूसरे लोग चला रहे थे, उसका फायदा वह नहीं उठा रहे थे जिनके लिए सहूलियत थी । इस बात को ध्यान में रखकर हमने यह कदम उठाया । अच्छा काम जितनी जल्दी हो जाए उतना ही अच्छा है । पता नहीं आप क्यों बुरा मान रहे हैं कि इसमें इतनी जल्दी क्यों की गई । लेकिन इन्हीं भावनाओं से हमने यह कदम उठाया । हमारी सरकार यह करती है--

A Government that works faster. We have to maintain that tradition, that word. We have to work faster .That is why we have moved in that direction.

उन्होंने पेट्रोलियम के बारे में कहा कि भी कर देंगे तो शर्टेज की बात लागू नहीं होती । मेरी अपनी राय है यह है कि हम पेट्रोलियम की खपत कम करने की सलाह देते हैं, लेकिन जहां तक सहूलियत का सवाल है, जो हमें देनी है, वह तो हर

[श्री राजेश पायलट]

नागरिक को हमें देनी पड़ेगी । सरकार इसके लिए बाध्य है । यहां कुछ पाइंट्स हैं जो माननीय सदस्यों ने उठाये हैं, जिनका जवाब मैंने दे दिया है । इसके साथ ही अपनी बात समाप्त करता हूं ।

With these words, Sir, I move that the Bill be taken into consideration.

THE VICE-CHAIRMAN: (SHRI M. P. KAUSHIK): I shall first put the resolution to vote. The question is—

"That this House disapproves of the Motor Vehicles (Amendment) Ordinance, 1986 (No. 4 of 1986) promulgated by the President on the 28th January, 1986."

The motion was negatived.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): I shall now put the motion moved by Shri Rajesh Pilot to vote. The question is—

"That the Bill further to amend the Motor Vehicles Act, 1939, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): We shall now take up the clause-by-clause consideration of the Bill.

Clauses 2 to 5 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI RAJESH PILOT: Sir, I move—

"That the Bill be passed."

The question was proposed.

SHRI NIRMAL CHATTERJEE (West Bengal): Mr. Vice-Chairman, at the third reading stage I want to make a point. I think at least one important point which has been raised has escaped the attention of the Minister and the important point is that when any committee deliberates, it quite often deliberates on a very restricted sphere and it does not relate its deliberations to the wider national context. This has happened in the case of the National Transport Policy Committee also. We would soon be debating the question of petroleum products' prices. But the point at issue is whether the per-tonne, per kilometre cost of diesel is less in the Railways or in the road transport. It has been established that it is more economical in the railways. Now, if a total view is taken, what should be attempted is that the rail transport should be emphasised more than the road transport. You have allowed relaxation and you have talked of competition in order to combat monopoly. But you have forgotten that competition is another *ruse* to consume more diesel than the railways. So, I would like to know whether or not this relaxation is dangerous in this context to the question of balance of payments and via that to the economy of the country.

SHRI RAJESH PILOT: I will reply Sir. For long distances, for long distance transportation, railways may be cheaper and it is cheaper.

SHRI NIRMAL CHATERJEE: National permits are meant for long distance only.

SHRI RAJESH PILOT: How much long? They are meant for long distances. But they use it for short distances also. You cannot say that they should not carry just for 100 kms. or so. This point had been discussed and we had consulted the Railways and the Railways had agreed and then only we brought this.

THE VICE-CHAIRMAN: (SHRI M. P. KAUSHIK): The question is:

"That the Bill be passed."

The motion was adopted.

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